

SENATE BILL 9069

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 29; Title 49; Title 50
and Title 68, relative to employee rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by
adding the following as a new section:

(a) As used in this section:

(1) "Employee" has the same meaning as that term is defined in § 50-1-
207;

(2) "Employer" means a private or public employer that employs one (1)
or more employees;

(3) "Medication" means:

(A) An over-the-counter drug that may be sold and purchased
without a prescription; or

(B) A prescription drug that is to be administered according to the
instructions of a licensed healthcare professional authorized to prescribe
drugs in this state;

(4) "Private employer" means an individual or a legal entity other than a
public employer; and

(5) "Public employer" means this state, a local government, or a political
or civil subdivision of this state.

(b) Notwithstanding a law to the contrary, if an employer requires its employees
to receive a vaccine, immunization, or other medication as a condition of employment,

then an employee has the right to refuse the vaccine, immunization, or medication based on the employee's strongly held religious beliefs or right of conscience.

(c) If an employee exercises the employee's right to refuse a vaccine, immunization, or medication under subsection (b), then the employee must provide written notice to the employer stating the grounds for the refusal. If the employee is a minor, other than an emancipated minor, then the employee's parent or legal guardian must submit the written notice to the employer.

(d) If an employer discharges or takes adverse action against an employee for refusing to take a vaccine, immunization, or medication on the basis of the employee's strongly held religious beliefs or right of conscience, the employee or former employee is entitled to:

(1) Not more than eight (8) weeks of lost wages; or

(2) Other appropriate compensatory damages as the court deems appropriate, not to exceed five thousand dollars (\$5,000).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.